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Attorney Peterson stated the parks by law have to be for the use of the residents of that area.

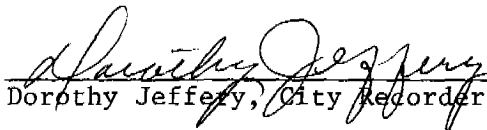
Mayor Roper told council the time was about used and asked if Mr. Webb or Mr. Traveler had any questions.

Mr. Webb stated he just wanted the council to understand the plans the council reviewed tonight were just the parliamentary plans and not the final plans.

Attorney Peterson informed council that it was required by law to give 5 days for any other effected entity to file a protestt to the annexation. Following the 5 days Delta City can then go ahead with the resolution to conditionally annex the proposed property.

Mayor Roper asked if there was any further comments or suggestions, there being none Councilman Willis Morrison MOVED the meeting be adjourned, MOTION SECONDED by Councilman Callister. Meeting adjourned at 7:58 p.m.


Leland J. Roper, Mayor


Dorothy Jeffery, City Recorder

MINUTES OF A REGULAR COUNCIL MEETING HELD AUGUST 24, 1981

PRESENT:

Leland J. Roper	Mayor and presiding
Don Bird	Councilman
Willis Morrison	Councilman
Cecil Losee	Councilman
Thomas Callister	Councilman

ABSENT:

Max Bennett	Councilman
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OTHERS PRESENT:

Neil Forster	Public Works Superintendent
Ray Valdez	City Building Inspector

Jay Covington
Warren Peterson
Dorothy Jeffery

Administrative Intern
City Attorney
City Recorder

Harvey Rowlette
John Rowlette
Jay Cook
Cathy Cook
Steven Stoddard
Steven Young
Roger Stowell
Jack Grayson
Ray Fullmer
Judy Fullmer
Bodyle Bender
Jim Pendray
Bob Pendray

City Resident
City Resident
City Property Owner
City Property Owner
City Resident
MICA
IPP Representative
City Property Owner
City Resident
City Resident
Zions' Bank and Trust
Pendray Construction
Pendray Construction

Mayor Roper, being present, called the meeting to order at 8:00 p.m.
Dorothy Jeffery, being present, acted as secretary.

The Mayor stated the meeting was a regularly called council meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle, the Millard County Gazette and the local radio station KNAK and to each member of the governing body by mailing copies of the Notice and Agenda two (2) days before to each of them.

MINUTES

Proposed minutes of a Regular Council Meeting held August 17, 1981 were presented for council's consideration for approval. Following a general discussion of the minutes and the correction made, Councilman Losee MOVED the minutes be approved as corrected, MOTION SECONDED by Councilman Callister and received the unanimous affirmative vote of all councilmen present.

Mayor Roper informed the council the third item on the agenda for the meeting would not be held because Mr. Christensen nor his attorney could be in attendance at the meeting, he then requested the council consider a Special City Council Meeting be held Thursday at 9:00 a.m. at the Millard School District Offices for the purpose of the hearing regarding the revocation of the 1981 Delta City Business License for Ralph Christensen Construction Company.

Councilman Bird asked if the Special Meeting would be an open meeting, Mayor Roper stated it would be opened to the public.

Attorney Peterson told the Council he had spoken to Mr. Christensen's Attorney, and they have requested a continuance of the hearing and ask the hearing be held in the day time, they stated they would waive the ten (10) to thirty (30) day be scheduled at a time as early as was convenient for the Council.

There was no evidence, regarding the revocation of Ralph Christensen's License discussed at the Council meeting. Attorney Peterson advised council to be ready to listen to both sides of the issue at the hearing, afterwhich, an impartial decision must be made.

After further discussion of the time and place, Councilman Bird made a MOTION

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to schedule the hearing for Thursday August 27, 1981, at 9:00 a.m. at the Millard County School District Offices. MOTION SECONDED by Councilman Callister and received the unanimous affirmative vote of all councilmen present.

DECISION ON THE ADOPTION OF ORDINANCE #81-26, REGARDING THE PROPOSED DELTA CITY ZONING ORDINANCE.

Mayor Roper told Council he had received a letter from the Planning and Zoning Commission dated August 20, 1981, which reads as follows:

Dear City Council:

By a unanimous vote at the Planning and zoning meeting held Wednesday, August 19, 1981 the Zoning Committee recommended that the Delta City Council approve the Zoning Ordinance #81-26 with the proposed changes.

Sincerely,

Don Dafoe, Chairman of Planning and Zoning.

Mayor Roper discussed with Council in detail, the following proposed changes to the proposed zoning ordinance, and the land use map and the map of the present city limits.

Steve Young explained the buffer zone is a needed zone whenever there is a proposed change in zoning from a residential to a commercial etc. The purpose of a buffer zone is to help make the change with a minimum of hardship on the property owners in the area.

Following a general discussion of the proposed changes, Councilman Callister MOVED Block 76 be changed to Commercial, leave R-3-B as it is proposed, change Highway Commercial to central business on 3rd West and 100 East to 150 North from the Delta City Limits - 400 North to 400 East back to the South to Main Street and change the Zoning Map accordingly, MOTION SECONDED by Councilman Morrison, motion received the unanimous affirmative approval of all councilmen present.

Councilman Morrison MOVED the future land use map be changed with the commercial zone on 350 East from 1st South to 2nd North to the City Limits, MOTION SECONDED BY Councilman Losee and received the unanimous affirmative vote of all councilman present

The following is a list of the pages and sections of the proposed changes to the Zoning Ordinance.

- Page 22 - Section 4 PERMITS - Temporary occupancy permit - not to exceed 6 month.
- Page 24 - Section 5 BOARD OF ADJUSTMENT - P/Z member also on Board of Adjustment.
- Page 35 - Double Print
- Page 39 - Section 8-8 Parking and storage of certain vehicles.
- Page 76 - Section 11-4:200 Mobile Home Subdivisions and Combinations with Mobile Home Parks.
- Page 75 - Section 11-4:100 Mobile Home Park. PUD Size
- Page 77 - Section 11-6 Maximum Height Limitation.
- Page 80 - Section 11-10 Private Streets (widths)
- Page 80 - Section 11-11 Type of curb and gutter in MH-PUD
- Page 90 - Section 11-25 Recreational Facilities 10 percent instead of 8 percent.
- Page 95 - Section 12-3 Subdivision Improvements & Construction Standards
- Page 98 - Section 12-9:400, Street Improvements.

Page 98 - Section 12-9:500, Pavement Widths.
 Page 100 - Section 12-9:700, Street Lighting
 Page 101 - Section 12-11, Parking.
 Page 102 - Section 12-13, Minimum Area
 Page 102 - Section 12-16, Minimum Yard Clearance.
 Page 102 - Section 12-15, Minimum lot size.
 Page 106 - Section 12-22, Water supply and distribution system.
 Page 108 - Section 12-23, Sewage disposal
 Page 109 - Section 12-23, Sewage Treatment and Discharge.
 Page 125 - Section 15-17, Mobile Home.
 Page 113 - Section 13-4:5-- , Permitted Uses.
 Page 148 - Section R-3-B, Permitted uses.
 Page 152 - Section C-B, Permitted Uses.
 Page 158 - Section C-B, Single Complex retail, hotel, motel.
 Page 159 - Section C-B, Highway Commercial
 Page 164 - Section C-B, Amusement Business.
 Page 171 - Section 1-2, Heavy Industrial.

Following the discussion of the above changes, Attorney Peterson informed council, the ordinance would have to be typed with the corrections included and three (3) copies in the Recorder's Office, prior to adoption.

ADOPTION OF THE DELTA CITY PERSONEL POLICY

Administrative Intern, Jay Covington, presented a copy of the Proposed Delta City Personnel Policy for the review of the council. Mr. Covington explained the Policy in detail. Following a discussion of the policy, Councilman Morrison MOVED the council go into a closed session for the purpose of discussing the wage schedule portion of the policy. MOTION SECONDED by Councilman Bird, and received the unanimous affirmative approval of all councilmen present.

After re-convening into open meeting. Councilman Losee MOVED Resolution #81-44, Delta City Personnel Policy, be adopted with the salary schedule to be effective as of January 1, 1982. MOTION SECONDED by Councilman Callister, and received the unanimous affirmative vote of all councilmen present.

HARVEY ROWLETTE - REQUEST FOR CONDITIONAL USE PERMIT ALLOWING STORAGE UNITS TO BE LOCATED AT 52 NORTH 150 EAST.

Mr. Rowlette displayed a Plot Plan for storage units to be located at 52 N. 150 E.

Mayor Roper read the following letter from the Planning and Zoning, dated August 20, 1981:

Dear City Council:

By a unanimous vote at the Planning and Zoning Meeting held Wednesday, August 19, 1981, the Zoning Committee interpreted the Zoning Ordinance, C-1 Conditional Use 11:312, Wholesale Business and Ware-housing to include rental storage units.

Don Dafoe/Chairman of Planning and Zoning.

Councilman Morrison asked if this was the same plan Mr. Rowlette had presented to the council previously. Mr. Rowlette stated the plans were basically the same but the location was in a different area.

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Councilman Morrison asked what the area would be zoned on the New Zone Map.

Mr. Forster stated the proposed units would be in an RB-3 zone in the new zoning ordinance, the area is presently zoned commercial and would require a Conditional Use Permit.

After further discussion of the issue, Councilman Morrison stated, for basically the same reasons that the other petition was denied, I don't see any real changes in this one, to allow for making a different decision than we made the last time.

Mr. Rowlette told Mr. Morrison he was not in attendance at the previous meeting where the matter was discussed and asked Councilman Morrison to explain his reasons.

Councilman Morrison stated the reasons as follows:

1. In a retail commercial zone, which this is at the present time, we are after a grouping of business with huge volume, such as retail, offices etc.
2. In my opinion storage units does not lend itself to the same type of business commercial uses.
4. By allowing these units to be built in that area, it could possibly affect the willingness of other business's that would be coming into a commercial zone.

After further discussion of the issue, Councilman Morrison MOVED Mr. Rowlette's petition for a Conditional Use Permit, allowing storage units to be built at 52 N. 150 E. be denied at this time, for the aforementioned reasons, MOTION SECONDED by Councilman Bird and received the unanimous affirmative vote of all councilmen present.

JAY COOK - REQUEST FOR CONDITIONAL USE PERMIT ALLOWING STORAGE UNITS IN A COMMERCIAL ZONE

Mr. Cook presented plans for proposed storage units to be located in a C-1 Zone.

Mr. Cook explained he had presented his plans at a previous meeting and they had been denied, he had received a letter from the Mayor's office stating the four (4) reasons why his request had been denied, they are as follows:

I have obtained a signed document (Copies were given to each of the Council Members) from each of the adjoining property owners stating they are in favor of the storage units being built. At the same time I asked them about the storage units, I also asked them if it would be more favorable to them to have four (4) plex's built on this property, which would be my only other option, they said they would prefer the storage units.

There are homes all around this property, which is in a commercial zone at this time.

Councilman Morrison asked where this property would fit in the new zone.

Mr. Cook told him it would be in the buffer zone.

Mr. Cook stated he would be willing to fence the property if the appearance of the storage units was not in keeping with the present City plans for the area-

Mr. Peterson quoted the Present Zoning Ordinance 11-801, which states:

All uses, including storage if not located within an enclosed building, shall be intirely enclosed by a view-obscuring fence, wall or hadge not less than six (6) feet in height and containing no advertising. This requirements shall not apply to permitted open-air display and sales.

Councilman Bird questioned the water run-off for the project, Mr. Cook explained the plans for the water run-off in detail, he had spoken to an engineer regarding the water run-ff, it was suggested, in a ditch in front of the anticipation of curb and gutter at a later date.

Mayor Roper asked about the renting of the proposed units to businesses.

Mr. Cook stated he does not plan to rent his storage units to be used as a Business.

Mr. Cook stated the four (4) reasons that were given for the denial haven been taken care of except of the same reasons were regarding the proposed zoning, not the present zoning. The legal Council I have talked to said the present zone ordinance is the one I feel I should be governed by. I apologize if I sound like I'm trying to argue with you, but I feel I have met all of the conditions that were put before me regarding the first denial and I feel my request should now be granted.

Mayor Roper asked council for a decision regarding the request.

Councilman Bird MOVED the petition presented by Jay Cook for a Conditional Use Permit allowing storage units in a commercial zone, be granted, MOTION SECONDED by Councilman Losee, There were three (3) yes votes, and one (1) no vote. Motion carried.

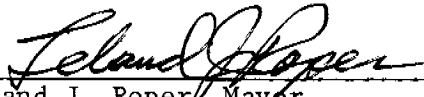
OTHER BUSINESS:

1. Received notice school District would be presenting a petition for annexation of ten (10) acres inthe near future for the South End School.
2. Dennis Westwood is in the process of termina and we do have some questions regarding his ordinance that will be clarified regarding the birth of his baby prior to his termination.
3. Kim Quarnburg and Kennith Kawue have passed the three (3) months employment record and will be allowed State Retirement and Insurance.
4. There will be a meeting of the task force on the City Building. Time will be at 7:30 p.m. in the City Offices. All Councilmen are requested to attend if they can. Jane Beckwille will represent the library.
5. Received 1,030.00 from the Class C Roads.

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Mayor Roper asked if there were any other comments, there being none, Councilman Bird made a MOTION to adjourn the meeting, MOTION SECONDED by Councilman Losee and received the unanimous affirmative vote of all councilmen present. Meeting adjourned at 11:55 p.m.



Leland J. Roper, Mayor



Dorothy Jeffery, City Recorder

MINUTES OF A SPECIAL CITY COUNCIL MEETING HELD AUGUST 27, 1981

August 25, 1981

NOTICE OF SPECIAL CITY COUNCIL MEETING:

TO MEMBERS OF THE CITY COUNCIL OF THE CITY OF DELTA, COUNTY OF MILLARD, AND STATE OF UTAH.

YOU AND EACH OF YOU ARE HEREBY NOTIFIED THAT A SPECIAL MEETING OF THE CITY OF COUNCIL WILL BE HELD AT THE MILLARD SCHOOL DISTRICT OFFICE, 140 WEST MAIN, DELTA UTAH AT 9:00 A.M. ON THE 27th DAY OF AUGUST, AD.D., 1981 FOR THE PURPOSE OF A HEARING TO DETERMINE WHETHER THE 1981 BUSINESS LICENSE ISSUED TO RALPH CHRISTENSEN CONTRUCTION COMPANY, SHOULD BE REVOKED, AND FOR ALL OTHER BUSINESS WHICH MAY LEGALLY COME BEFORE SUCH MEETING.

S/LELAND J. ROPER, MAYOR OF
THE CITY OF DELTA, UTAH

ATTEST:

DOROTHY JEFFERY, DELTA CITY RECORDER